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1631

Atty. Docket No.: 10069/1004

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Colyer, et al.
Serial No.: 10/037,212
Filed: January 4, 2002
Entitled: "Chemical Modification"

Examiner: M. Borin

Group Art Unit: 1631

Conf. No.: 6487

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8a

I hereby certify that this correspondence (and any paper or fee referred to as being enclosed) is being deposited with the United States Post Office as First Class Mail on the date indicated below in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313.

Elizabeth Spar

Name of Person Mailing Paper

Elizabeth Spar

Signature of Person Mailing Paper

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Enclosed for filing in the above-identified patent application, please find the following documents:

1. Response to Restriction Requirement; and
2. Return Post Card.

The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 10069/1004. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: March 23, 2004

Elizabeth Spar Reg # 45,123 for

Name: Kathleen M. Williams
Registration No.: 34,380
Customer No.: 29933
Palmer & Dodge LLP
111 Huntington Avenue
Boston, MA 02199-7613
Tel: 617-239-0100



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RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

In response to the Restriction Requirement dated February 23, 2004, Applicants elect **Group III.1, Claims 38-52,91**, drawn to a method to monitor activity of an enzyme comprising monitoring addition or removal of a phosphate moiety for prosecution on the merits, with traverse.

Applicants respectfully request clarification of the species election referred to on page 11 of the Restriction Requirement. The species election refers to claims 12 and 13. The claims as filed with the application were incorrectly numbered such that the patent application was not filed with claims 12 and 13. In view of the lack of clarity regarding claims 12 and 13, and since the claims of elected group III.1 do not refer to fluorescently labeled peptides, Applicants have not responded to the species election.

This Response is being filed within 30 days from the Restriction Requirement mailed February 23, 2004 and no fee is believed to be due. However, should any fees be required to ensure consideration of this response, the Commissioner is authorized to charge Deposit Account 16-0085, Reference No. 10069/1004.

Date: March 23, 2004

Respectfully submitted,

Reg # 45,123

Name: Kathleen M. Williams

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